

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY

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CARMINE FIORE, WILLIAM NORGARD,	:	Index No. 514038/2020
STEVE MEJIA, and DOMINIC SPACCIO,	:	
Plaintiff,	:	
against	:	<u>DECLARATION OF Jeremy</u> <u>Rivera Founder of Kush</u> <u>Culture Industry</u>

NEW YORK STATE CANNABIS CONTROL :
BOARD, NEW YORK STATE OFFICE OF
CANNABIS MANAGEMENT, TREMAINE
WRIGHT, in her official capacity as the
Chairwoman of the New York State Cannabis
Control Board, and CHRIS ALEXANDER, in
his official capacity as Executive Director of
the New York State Office of Cannabis
Management,

Defendants. :

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STATE OF NEW YORK)

1. I am over the age of 18.
2. My name is Jeremy Rivera.
3. I am a resident of the County of New York, State of New York
4. I am the Founder of Kush Culture Industry, a Licensed Limited Liability Corporation incorporated in the State of New York.
5. On or about April 6, 2023, Kush Culture Industry, was awarded a Conditional Adult Use Recreational Dispensary (CAURD) license from the Office of Cannabis Management (OCM) License Number #000173
6. On or about June 1st, 2023, I entered into architectural and engineering services for a potential location totaling approximately \$12,000.00.
7. On or about May 10th, 2023, we received approval for our submitted lease location from OCM.
8. On or about June 1, 2023, I entered into a contractual lease agreement, with a personal guarantee, for a dispensary located at 36-10 Ditmars Blvd in the County of Queens.

9. My lease deposit for the commercial space was \$56,000.00 cash, with a monthly rent of \$9,000.00 a month excluding taxes and utilities commencing October 1, 2023.
10. On or about June 5th, 2023, I entered into a contractual agreement for general contracting services totaling \$85,000.00.
11. On or about July 10, 2023, I entered into a contractual agreement for security cameras and services totaling \$67,700.00.
12. On or about July 18th, 2023, I entered into vendor purchasing agreements to procure store branded merchandise totaling approximately \$25,000.00.
13. On or about Aug 2nd, 2023, I purchased storefront signage totaling over \$13,000.00.
14. On or about July 27th, 2023 I began hiring various consultants to manage Public Relations, Social Media, Web Design and Operational Structure, which have totaled approximately \$8, 000.00 to date.
15. On or about June 29, 2023, I entered into a contractual agreement for cabinetry and mill working totaling \$42,00.00
16. We have submitted our requisite phase two documents to the OCM and are waiting to schedule a compliance inspection.
17. During the time period from April 6, 2023 to date I have expended countless hours researching the applicable OCM regulations and guidelines. I have traveled throughout the state to meet with numerous cultivators and processors to establish business relationships and secure letters of intent to purchase product.
18. We are currently scheduled to open August 15, 2023.
19. Kush Culture Industry and myself personally will be irreparably harmed should we not open by our targeted date.
20. Our contractual debts are non dischargeable and we would likely have to declare bankruptcy in short order.

I declare under the penalty of perjury that the foregoing is true and accurate.

Executed on 9 August 2023.

 / signature